

7/13



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/820,364	03/29/2001	Tatsunori Kanai	205272US2RD	2719

22850 7590 06/23/2003

OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C.
1940 DUKE STREET
ALEXANDRIA, VA 22314

EXAMINER

CHEN, TE Y

ART UNIT	PAPER NUMBER
----------	--------------

2171

DATE MAILED: 06/23/2003

2

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.
09/820,364

Applicant(s)
Kanai et al.

Examiner
T. Chen

Art Unit
2171



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on Mar 29, 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

*See the attached detailed Office action for a list of the certified copies not received.

- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____ 6) ☐ Other:

Art Unit: 2171

DETAILED ACTION

1. Claims 1 - 20, are presented for examination.
2. Acknowledgment is made of the claim for foreign priority under 35 U.S.C. § (a)-(d) or (f). All of the certified copies of the priority documents have been received and the priority claim is accepted.

Specification

3. The specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicants' cooperation are requested in correcting any errors of which applicants may become aware in the specification. Also, It is noted that the present specification does not contain line numbers. For ease of reference by both Examiner and Applicant all future correspondence should include the recommended line numbering.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Art Unit: 2171

4. Claims 1-20, are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

5. As to claims 1, 7-9, 12-14 and 17-20, the use of the phrase --and/or -- renders these claims indefinite, since this phrase leads to more than one interpretations of the claimed limitations, In re Wilson, 424 F.2d 1382, 165 USPQ 494 (CCPA 1970).

6. As to claims 2-6, 10-11 and 15-16, these claims have the same defect as their base claims, hence are rejected for the same reason.

Claim Rejections - 35 USC § 102

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

8. Claims 1-20, are rejected under 35 U.S.C. 102(b) as to the best of the examiner's understanding being anticipated by Kenner et al. (U.S. Patent No. 5,956,716).

Art Unit: 2171

9. As to claims 1, 7-9, 12-14, and 17-20, Kenner et al. (hereinafter referred as Kenner) discloses a computer system [e.g., see Abstract, Fig. 1] with apparatus, methods and computer program products as claimed by applicant, to perform the following processing, comprising:

a multimedia data storage and retrieval system [e.g., see Fig. 1] with means, methods and computer program product to perform the following functions, comprising:

- * a plurality of data management units [for example, the Primary Index Manager (PIM 22, Fig. 1), Remote Index Manager (IM 34, Fig. 1), PIM & IM(s) of Fig. 3; the Software Modules and Database Partition Units of Table 1] for managing a plurality of multimedia data in relation to time and location information [see col. 4, lines 45-53; col. 28, lines 46-60];

- * a plurality of data processing units configured [e.g., the sets of Search and Retrieval Units (SRUs), PIM & IM(s), Terminal and Data Sequencing Interface (DSI) units, Fig. 3; col. 4, line 55 - col. 5, line 8] to obtain the time [e.g., see the date and time parameters in the table of col. 23] and location information [e.g., see the Regional Identifier; col. 58-59] in respond to a user request by using event names [e.g. the User ID, Video ID, etc. in the table of col. 22].

- * a data selection unit configure to retrieve multimedia data from the plurality of multimedia data managed by the data management unit, according to the time information and the location information obtained by the processing [e.g., the Primary Index Manager (22, Fig. 1); col. 4, line 66 - col. 5, line 4; col. 5, lines 31-38].

- * a retrieval result transmission unit [e.g., the Data Sequencing Interface Unit (30, Fig. 1); col. 5, lines 14-16] configured to provide the multimedia data retrieved by the data selection unit

Art Unit: 2171

as a retrieval result, through the network to the requestor [see the Data Sequencing Interface Unit (DSI) section at col. 12 - col. 13].

10. As to claims 2-6, 10-11 and 15-16, Kenner further discloses that the system having the features as claimed by applicant, including:

a) automatically creates a plurality of common index tables (for example, the Audio-visual data index table, the Audio-visual Access list, etc) that contain a plurality of event names, time, and location data for each clip event.[for example, see the table of col. 22, line 52 - col. 23, line 22], such that, the system is able to obtain the event name, time and location information that are related to one multimedia data upon receiving a reverse look-up retrieval request specifying the one multimedia data [e.g. see col. 13, line 66 - col. 15, line 8].

b) a plurality of personal index table for each user [for example, see col. 22, lines 20-44].

Conclusion

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure: Kenner et al. (U.S. Patent No. 6,269,394) which disclosed a computer system to delivery of video data over a computer network; Shimakawa et al. (U.S. Patent No. 6,055,536) which disclosed multimedia processing system using keys to retrieve stored documents.

Art Unit: 2171

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Susan Chen, whose telephone number is (703) 308-1155. The examiner can normally be reached Monday through Friday from 7:30 A.M. to 4:30 P.M.

13. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic, can be reached at (703) 308-1436. The fax phone numbers for this group are:

(703) 746-7238 (After Final Communication);

(703) 746-7239 (Official Communications); and

(703) 746-7240 (For Status Inquiries, Draft Communication).

14. Any inquiry of a general nature of relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-9600.

Susan Chen

June 12, 2003


SAFET METJAHIC
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100